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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 PEACEWORKS FOUNDATION,

12 Plaintiff,

13 vs.

13 DALE SUNDBY, EDITH LITTLEFIELD,
14 and ONEVOICE FOUNDATION,

15 Defendants.

CASE NO. 07cv1053 WQH (RBB)

ORDER

16 HAYES, Judge:

17 On June 8, 2007, Plaintiff PeaceWorks Foundation filed a Complaint (Doc. # 1) against
18 Dale Sundby, Edith Littlefield, and Onevoice Foundation.

19 On April 9, 2008, Plaintiff filed a Motion for Leave to File First Amended Complaint
20 (Doc. # 18). In the Motion to Amend, Plaintiff states that it “seeks leave to amend its
21 Complaint to remove allegations that Defendants have already received donations intended for
22 PeaceWorks.” *Mot. to Amend*, p. 2. Plaintiff states that “Defendants’ counsel has informed
23 PeaceWorks that Defendants do not oppose this motion to file the proposed First Amended
24 Complaint.” *Id.*

25 Defendants have not filed an opposition to the Motion for Leave to File First Amended
26 Complaint.

27 Rule 15 of the Federal Rules of Civil Procedure mandates that leave to amend “be freely
28 given when justice so requires.” Fed. R. Civ. P. 15(a). This policy is applied with
“extraordinary liberality.” *Morongo Band of Mission Indians v. Rose*, 893 F.2d 1074, 1079

1 (9th Cir. 1990). Once an answer to the complaint has been filed, as is the case here, courts
2 may deny leave to amend where the proposed amendment would be futile, where it is sought
3 in bad faith, where it will create undue delay, or where “undue prejudice to the opposing party
4 will result.” *Howey v. United States*, 481 F.2d 1187, 1190 (9th Cir. 1973); *see also Johnson*
5 *v. Mammoth Recreations, Inc.*, 975 F.2d 604, 607 (9th Cir. 1992); *Saul v. United States*, 928
6 F.2d 829, 843 (9th Cir. 1991).

7 Having reviewed the Motion, and having received no opposition from Defendants, the
8 Court **GRANTS** the Motion for Leave to File First Amended Complaint (Doc. # 18) filed by
9 Plaintiff PeaceWorks Foundation. Plaintiff shall file a First Amended Complaint **no later than**
10 **July 7, 2008.**

11 DATED: May 27, 2008

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13 **WILLIAM Q. HAYES**
14 United States District Judge
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